

## **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

### **I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1 and 10-19 are currently pending. Claims 1, 10, and 19, which are independent, are hereby amended. Claims 2-9 are canceled without prejudice or disclaimer of subject matter. It is submitted that these claims, as originally presented, were in full compliance with the requirements of 35 U.S.C. §112. Support for this amendment is provided throughout the Specification. No new matter has been introduced by this amendment. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112 beyond the remarks herein

### **II. REJECTIONS UNDER 35 U.S.C. §103(a)**

Claims 1, 10, 12, and 19 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,614,987 to Ismail, et al. (hereinafter, merely "Ismail") in view of U.S. Patent No. 6,581,207 to Sumita, et al. (hereinafter, merely "Sumita").

Claim 11 was rejected under 35 U.S.C. 103(a) as allegedly unpatentable over Ismail and Sumita as applied to claims 1 and 10, and further in view of Dunlop ("The Effects of

Accessing Non-matching Documents on Relevance Feedback”) and U.S. Patent No. 6,408,295 to Aggarwal, et al. (hereinafter, merely “Aggarwal”).

Claims 13-15 were rejected under 35 U.S.C. 103(a) as allegedly unpatentable over Ismail and Sumita, as applied to claims 3 and 12, and further in view of U.S. Patent No. 6,005,561 to Hawkins, et al. (hereinafter, merely “Hawkins”).

Claim 16 was rejected under 35 U.S.C. 103(a) as allegedly unpatentable over Ismail and Sumita as applied to claim 12, and further in view of U.S. Patent No. 6,457,010 to Eldering, et al. (hereinafter, merely “Eldering”) and further in view of U.S. Patent No. 6,185,360 to Inoue, et al. (hereinafter, merely “Inoue”).

Claim 17 was rejected under 35 U.S.C. 103(a) as allegedly unpatentable over Ismail and Sumita as applied to claim 12, and further in view of U.S. Patent No. 6,266,664 to Russel-Falla, et al. (hereinafter, merely “Russel-Falla”) and still further in view of Inoue.

Claim 18 was rejected under 35 U.S.C. 103(a) as allegedly unpatentable over Ismail and Sumita as applied to claims 1 and 10, and further in view of Eldering.

### **III. SUPPORT FOR AMENDMENT IN SPECIFICATION**

Support for this amendment is provided throughout the Specification as originally filed and specifically at paragraph [0074] of Applicants’ corresponding published application.

[0074] Not only reproduced programs, but also user-reserved programs may be used for a plurality of attribute vectors A in order to find this selection vector S. During realtime reproduction, a program may be reproduced for a short time and may be immediately changed to another program. Such a program is assumed to be little interested or inadvertently selected and is not used for finding the selection vector S. Namely, the selection vector S is generated by using the attribute vector A for a program

which is reproduced for a specified time or longer. Further, the selection vector S may be generated by changing weights for a reserved program and a realtime reproduced program. For example, the selection vector S may be generated as follows by using a constant P for the reserved program and a constant R for the realtime reproduced program.

#### IV. RESPONSE TO REJECTIONS

Claim 1 recites, *inter alia*:

“...wherein said plurality of reception apparatuses include a selection means for: (1) performing a calculation between a vector A related to the attribute information and the vector S; and (2) determining whether to select the digital content based on the result of the calculation,

**wherein Vector S is generated by using Vector A for a program which is reproduced for a specified period of time or longer, and**

**wherein Vector S is generated by changing a weighting factor for a reserved program and a realtime reproduced program.”** (Emphasis added)

Applicants submit that Ismail and Sumita, taken alone or in combination, fail to suggest or render predictable the above-identified features of claim 1. Specifically, Applicants submit that Ismail and Sumita fail to teach that “said plurality of reception apparatuses include a selection means for: (1) performing a calculation between a vector A related to the attribute information and the vector S; and (2) determining whether to select the digital content based on the result of the calculation, wherein Vector S is generated by using Vector A for a program which is reproduced for a specified period of time or longer, and wherein Vector S is generated by changing a weighting factor for a reserved program and a realtime reproduced program”, as recited in claim 1.

Applicants submit that Ismail and Sumita, taken either alone or in combination, do not teach or suggest the above-identified features of claim 1.

## **V. DEPENDENT CLAIMS**

The other claims are dependent from one of the independent claims, discussed above, and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

## **CONCLUSION**

Because Applicants maintain that all claims are allowable for at least the reasons presented hereinabove, in the interests of brevity, this response does not comment on each and every comment made by the Examiner in the Office Action. This should not be taken as acquiescence of the substance of those comments, and Applicants reserve the right to address such comments.


In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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